FILED

UNITED STATES DISTRICT COURT ALBUQUERQUE, NEW MEXICO

Joseph S. Rivers
In Propria Persona

JUN 1 0 2016

P.O. Box 313

Wayne MI, 48184

MATTHEW J. DYKMAN CLERK

UNITED STATES DISTRICT COURT

DISTRICT OF NEW MEXICO

Joseph Samson Rivers

Plaintiff,

Vs.

Emily Younger

KRQE-TV News 13

NOW COMES THE PLAINTIFF, Joseph Samson Rivers, who brings forth the following causes of action and alleges the following:

Defendants,

Plaintiff is an individual and a resident of Michigan, in the County of Wayne.

Defendant Emily Younger works as an anchor for

Defendant (2) KRQE-TV News 13 Broadcasting Station in

Albuquerque New Mexico.

Jurisdiction

This claim is brought to this court pursuant to Title 28 U.S. Sec. 1332, and as such this court has jurisdiction to hear this claim.

Facts

On July 29th, 2015, while working as an employee for The KRQUE-TV News 13 Broadcasting Station, Defendant Emily Younger, made slanderous and false statements against Plaintiff Joseph Samson Rivers while conducting a KRQE local broadcast in Albuquerque New Mexico. The statements that were made by the defendant were false, and completely demeaning to Plaintiff Rivers character.

27

28

The Defendant(s) stated a one sided allegation to be fact, and even went as far as stating that the Plaintiff had been to jail just three days prior to the airing of the broadcast, when no such events had ever taken place. The Defendant stated that a one sided allegation made by another party in a civil claim against Plaintiff Rivers, was fact. Bending the perception of the public and ultimately altering the outcome of the case. Defendant(s) Emily Younger & KRQE-TV News 13, lead Plaintiff Rivers to lose his legal representation and not be afforded the opportunity to be adequately represented in a Federal proceeding, in violation of the 6th Amendment right of the U.S. Constitution to not be withheld from legal representation in a Federal proceeding. Whereas, "no defendant is to be deprived of their right to counsel in a federal proceeding". The Defendant(s) reported a slanderous story in attempt to strike the publics attention, which ultimately lead to injury and loss for the Plaintiff. The Defendant(s) owed the Plaintiff a

27

28

duty of care and honesty during a critical time of The Plaintiffs case. They owed the plaintiff a duty to report the news, and not take personally stances when stating things like, "What really happened", when neither they or the accusing party had any evidence to validate the claims made against the Plaintiff Rivers. And Where They deprived Plaintiff Rivers of that right, he holds the Defendant(s) Emily Younger and KRQE TV-News 13, responsible for Liable by means of; In defamation, Deprivation of Life, Libel and/or Slander, Personal Injury/loss, and in violation of The 6th Amendment of The U.S. Constitution. Where As the Defendants deprived a 22 year old, American citizen, of his right to adequate counsel by making slanderous remarks and causing his attorneys to withdraw their pre ordained agreements and ultimately causing him to lose his civil case. The Plaintiff was denied his God given rights to adequate representation due to the slanderous broadcast made by the defendant(s), in violation of the Plaintiffs Federal Civil Rights. Even after months of

planning a strategizing with several attorneys who had already agreed to take the Plaintiffs case, some who sent Plaintiff Rivers contracts to sign, and one in which the Plaintiff did sign. Plaintiff Rivers was denied representation once the defendant reported a Slanderous story that lead Plaintiff Rivers Lawyers to believe he was being untruthful. Plaintiff Rivers couldn't get an attorney to adequately represent him or even answer the phone to notify him that they weren't interested in representing him anymore, until the final deadline had passed for him to file a response in his civil case. Thus leading Plaintiff Rivers to lose his case and forcing him to study for the remainder of the year in order to file his own civil claim in Federal Court, via Propria Persona, to recoup the damages caused by the Defendant(s) depriving him of life and time, that could have been spent pursuing something more productive. Had the Plaintiff not had the knowledge to represent himself he would not have been afforded his God Given Rights, as Outlined in the U.S.

23

26 27

28

Federal Constitutions 6th Amendment, to not be withheld from adequate representation during a Federal proceeding. The Defendant Deprived Plaintiff Rivers of Adequate representation and caused Plaintiff Rivers personal loss and injury due to their negligence to report the news as every other broadcasting network did. Not by taking their own personal stances when stating that a one sided allegation stood as fact and to go even further and tell the public that I had been to jail just three days prior to the airing of the broadcast, which would have been July 26th 2015 when no such events had took place of this sort. These false statements lead to personal loss and injury of \$16,000 in cash, mental and emotional distress upon the Plaintiff and his family, lose of life (life deprivation), personal injury by means of slander/libel, in defamation of character, and in violation of the 6th Amendment of the U.S Federal Constitution. The Defendant(s) had no right to write, report, and/or broadcast any story that outlined a one

26

27

28

sided allegation as facts of "what really happened". Furthermore the Defendant(s) violated the Plaintiffs Civil Rights; when they deprived the Plaintiff of his Constitutional Right to adequate representation in the court of law. The Defendant(s) had no right to state that Plaintiff Rivers had just been incarcerated for drugs just 3 days prior to the airing of the broadcast, when no such events had taken place. This was clearly a false statement made with malicious intent, which ultimately lead to personal injury and lose for Plaintiff Joseph Rivers and his family. Whereas, the Plaintiff was no longer afforded adequate legal representation which lead to lose of \$16,000, and a good solidified standing with the people of New Mexico. The airing of the broadcast was at a very time sensitive point in the civil case and ultimately determined the outcome. Plaintiff Rivers demands that correction be made of this error by the best ability of the Defendant(s) and that the defendant be held liable

3

4

5

6 7

8

10

11

12 13

14

15 16

17

18

19 20

21

22 23

24

25

2627

28

for the losses and damages incurred by the Plaintiff for their neglect.

Affirmation

The Defendant violated Plaintiff Rivers U.S. Federal Constitutional Rights when she/they deprived Plaintiff Rivers of his right to be adequately represented in the court of law during a federal proceeding. Defendant Younger made statements during her broadcast that a one sided response in a civil suit was "exactly what happened" when neither she nor they, have, nor had, the facts to merit the false claims that were made against the Plaintiff. The Defendant(s) should have reported the story as all the other reporters did when reporting on this case. Whereas; they stated what was said by an individual person or side, which is the obligation of any reporter. But this case is different, where Defendant Younger clearly has taken a stand when stating things like "exactly what happened" when pertaining to a one sided allegation. Furthermore the

26

27

28

Defendant stated that the Plaintiff went to jail, three days prior to the airing of the broadcast, for drugs. Completely demeaning the Plaintiff, and defacing the value of his case. The actions of the Defendant(s) lead to attorneys who agreed to represent plaintiff Rivers to pull out of the agreements they had made with the Plaintiff, at a time when it was essential to respond within a certain time frame. The Defendants(s) had a duty of care, they had a duty of honesty, and a duty to never infringe upon another American citizens God Giver rights, and they have clearly breached that duty when neglecting to relay information to the public in a way that wouldn't have lead to personal loss for the Plaintiff and his family. The Plaintiff being a 22, year old American citizen, with no knowledge as to how the proceed with a Federal proceeding, was denied his ability to be adequately represented in the court of law due to false and incriminating statements made by the defendant(s). These statements were false and lead to personal injury/loss, mental and emotional distress,

life depravation, in defamation of character, as well as violations of the U.S. Federal Constitutions $6^{\rm th}$ Amendment. See Appendixes

WHEREFORE; Plaintiff Joseph Samson Rivers seeks that judgment be rendered in this case as follows:

- 1. \$116,000 in compensatory damages for mental and physical losses/injuries incurred by Plaintiff Rivers and his family due to the negligence of the Defendant(s); Personal Loss, Life deprivation, mental and emotional Stress, and lost time.
- 2. \$500,000 for using the Name (and Photo) of JOSEPH RIVERS, via written and spoken word, with false and incriminating statements that Were completely demining and which lead to Personal loss and injury.

- 3. \$250,000 in punitive damages being that the defendant intentionally defamed Plaintiff Rivers when she/they stated that Plaintiff Rivers had been to jail three days prior to the airing of the original broadcast, when no such events had ever taken place.
- 4. Any and/or all legal fees derived from the negligence of the Defendant(s) As well as any other relief, seen fit, to be awarded to the Plaintiff by this court.

DATED: June, $\int_{-1}^{1} f dt$, 2016

RESPECTFULLY SUBMITTED,

By: _____

Joseph Samson Rivers

In Propria Persona

Case No:

CERTIFICATION OF SERVICE

I hereby certify that on June 4, 2016, I have mailed by United States Postal Service the forgoing papers to the Clerk of the Court, U.S. District of New Mexico.

Clerk of Court, United States District Court District of New Mexico Pete V. Domenici United States Courthouse 333 Lomas Blvd. NW Suite 270 Albuquerque, NM 87102-9843

RRSPECTFULLY SUBMITTED BY:

Mary Jackson P.O. BOX 313 WAYNE MI, 48184

Case 1:16-cv-00555-WPL Document 1 Filed 06/10/16 Page 13 of 23

County in which action arose

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS		JOI TIMBIT	DEFENDANT	S			
	Joseph S. Rivers			Emily Younger &			
(b) County of Residence of First Listed Plaintiff Wayne (EXCEPT IN U.S. PLAINTIFF CASES)			KRQE-TV News 13 County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.				
(c) Attorneys (Firm Name, Joseph S. Rivers In Propria Persona P.O. Box 313 Wayne MI, 48184	, Address, and Telephone Number)		Attorneys (If Known)				
II. BASIS OF JURISD	OICTION (Place an "X" in One Box Only)	III. CI	TIZENSHIP OF I	PRINCIPAL PARTIES	(Place on "V" in	One Pau for	District
1 U.S. Government Plaintiff	© 3 Federal Question (U.S. Government Not a Party)		(For Diversity Cases Only) P	TF DEF 1 Incorporated or F of Business In	and One Box, Principal Place	or Defendant,	riaini) DEF) 4
2 U.S. Government Defendant	● 4 Diversity (Indicate Citizenship of Parties in Item III)	Citiza	en of Another State	2 2 Incorporated and of Business In	Principal Place	O 5	5
			en or Subject of a	3 Foreign Nation		0 6) 6
IV. NATURE OF SUI	T (Place an "X" in One Box Only)	ro	eigh Country				
CONTRACT 110 Insurance	TORTS PERSONAL INJURY PERSONAL INJURY		RFEITURE/PENALTY	BANKRUPTCY	OTHER	STATUTES	
120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans	310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 365 Personal Injury - Product Liability 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Injury Product	y 69	5 Drug Related Seizure of Property 21 USC 881 0 Other	423 Withdrawal 28 USC 157 410 A 430 B: PROPERTY RIGHTS 820 Copyrights 330 Patent 840 Trademark CC		nks nd Banking nmerce	
(Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise	345 Marine Product Liability Liability 350 Motor Vehicle Product Liability 370 Other Fraud 371 Truth in Lending 370 Other Personal 370 Other Personal 371 Truth in Lending 370 Other Personal 370 Other Personal 371 Truth in Lending 371 Truth in Lending 375 Property Damage 376 Property Damage 377 Product Liability	720 e 0 740 e 75]	LABOR D Fair Labor Standards Act D Labor/Management Relations D Railway Labor Act I Family and Medical Leave Act	SOCIAL SECURITY 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g))	490 Cable/s 490 Cable/s 850 Securit 850 Other S 891 Agricul 893 Enviror 895 Freedor	at TV es/Commoditi ge atutory Actio ural Acts nental Matter	ons rs
REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability	ation 440 Other Civil Rights 441 Voting 442 Employment 510 Motions to Vac Sentence Accommodations		Other Labor Litigation Employee Retirement Income Security Act	FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC 7609	Act/Rev	trative Procedure ew or Appeal of Decision tionality of	
290 All Other Real Property	 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other: 448 Education 555 Prison Condition 560 Civil Detainee - Conditions of Confinement 	her O 465	IMMIGRATION Naturalization Application Other Immigration Actions				
V. ORIGIN (Place an "X" in 1 Original 2 Rer			_	****			
Proceeding Star	te Court Appellate Court	O 4 Reinst Reope	ened Another (specify)	District Litigation			
VI. CAUSE OF ACTIO	Total describtion of cause.		not cite jurisdictional statu	ites unless diversity):	Fitle 28 sec. 133	2	_
VII. REQUESTED IN COMPLAINT:	☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.		MAND \$ \$886,000	CHECK YES only JURY DEMAND:	_	omplaint:	
VIII. RELATED CASE IF ANY	(See instructions): JUDGE			DOCKET NUMBER			_
DATE May, 26, 2016	SIGNATURE OF AT	"	0 -				
FOR OFFICE USE ONLY	Jus Al	<u> </u>	1 Propria Person	<u>a</u>			
	IOUNT APPLYING IFP		JUDGE	MAG. JUD)GE		•

Appendixes A & B

Here enclosed is the documents you requested sorry for the delay trouble with the printer, please let me I now when you receive this message.

Thanks Again

Joseph Rivers

----Original Message-----

From:

Sent: Thu, May 7, 2015 10:41 am

Subject: Documents

Hi Joseph,

Make sure to open the attachments and make sure that I'm sending you the correct information. If it looks ξ ood then go ahead and forward it.

Thanks, Mom

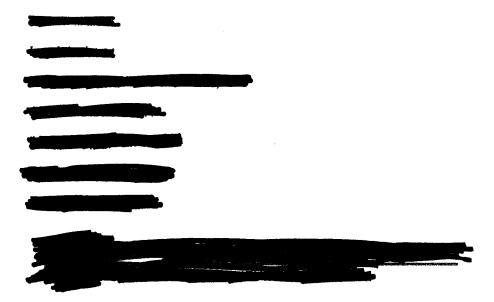
Joseph

----Original Message----From: To: idea to the control of the con

Subject: Letter from DEA?

Good afternoon Mr. Rivers,

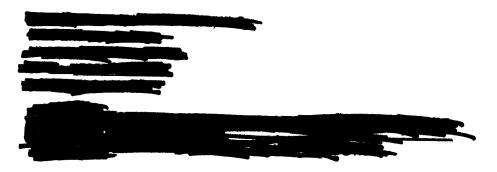
I am writing again today because we still not received the signed retainer agreement back from you and to check again for whether you've gotten a latter yet from the DEAP (if you could call either that would be best. Thank you.



From [mailto:

Sent: Thursday, May 07, 2015 9:22 AM To

Subject: Fwd: Documents



From: [mailto: junior]

Sent: Thursday, May 07, 2015 9:22 AM To:

Subject: Fwd: Documents

Here enclosed is the documents you requested sorry for the delay trouble with the printer, please let me know when you receive this message.

Thanks Again Joseph Rivers

-----Original Message-----

From: To:

Sent: Thu, May 7, 2015 10:41 am

Subject: Documents

Hi Joseph,

Make sure to open the attachments and make sure that I'm sending you the correct information. If t looks good then go ahead and forward it.

Thanks, Mom Joseph,

You are right. I will modify the agreement to make it clearer. I've talked to the same and I believe he is working on getting your money back and we will work on your civil rights claim for damages..

If the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here, I will work with the DEA files anything in federal court here.

I think the DEA profiled you because of your race. It think the injury to you is significant, but I also think we can do a lot to stop this from happening again.

Is there a good time when we can talk?

Sincerely,

On Tue, May 26, 2015 at 8:08 AM,

wrote:

See Mr. Mivers email. Tasseme you'll recpond?

From: mailto:

Sent: Sunday, May 24, 2015 9:57 AM

To:

Subject: Re: Letter from DEA?

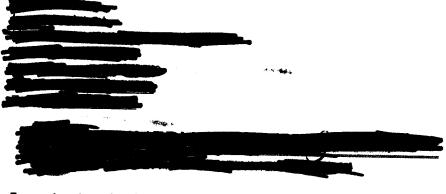
I received the letter you sent me to sign but it didn't match the same guidelines as me and discussed over the phone. He informed me that they wouldn't charge me to get the money back, that they would take their money from the civil suit. But the contract stated differently. I would still be interested in pursuing this matter as a violation of civil rights but wanted to know what the agreement would entail. I currently have ar attorney thats working to get the money back without having to go to litigation. But as I aforementioned, i'm still interested in what the discount of the contract stated differently. I would still be interested in pursuing this matter as a violation of civil rights but wanted to know what the agreement would entail. I currently have ar attorney thats working to get the money back without having to go to litigation. But as I aforementioned, i'm still interested in what the discount of civil rights action. Thank You, I look forward to your response.

and Amtrak cooperation on people who pay tickets with cash and profiling issues.

Are you available to talk tomorrow?

On Monday, June 8, 2015, Market State Control of the Control of th

By copy of this message I am forwarding your message to state to be attention so he can respond to you directly. Please note however that schedule has him out of the office in depositions today, so you might not immediately hear from him. Thank you.



From: [mailto:

Sent: Saturday, June 06, 2015 9:43 AM To:

Subject: Re: Letter from DEA?

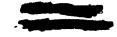
I was writing today to see if the state of still intended on representing me in a civil suit. I have been doing a lot of travel to speak on civil asset forfeiture as well as reform in DC. I have been in contact with other organizations in this respect and would like to know if this was still something was

interested in pursuing. Thank you

Sent: Fri, May 15, 2015 5:16 pm Subject: Letter from DEA?

Good afternoon Mr. Rivers,

I am writing again today becomes we still not received the signed retainer agreement back from you and to check again for whether you've gotten a letter yet from the DEA? If you could call either or I soon that would be best. Thank you.



----Original Message---From: To:

Sent: Tue, Jun 9, 2015 4:26 pm Subject: Re: Letter from DEA?

Joseph,

we are contacting the ACLU to see if we can retrieve this information.

https://www.aclu.org/sites/default/files/assets/2014 05 02 aclu amtrak foia request.pdf

On Tue, Jun 9, 2015 at 1:40 PM, wrote Just called

On Tue, Jun 9, 2015 at 1:27 PM, Application wrote Yes I'm available now

Sent: Tue, Jun 9, 2015 3:23 pm Subject: Re: Letter from DEA?

Joseph,

Are you available now?

On Tue, Jun 9, 2015 at 11:53 AM,

Is there a certain time you would like me to call today? Thanks

Joseph

The Heritage Foundation Interview https://youtu.be/2ebmS8nniOw

----Original Message-----

To: Co

Sent: Mon, Jun 8, 2015 11:38 am Subject: Re: FW: Letter from DEA?

Joseph,

We should talk tomorrow. We do intend to represent you in a civil suit. It is not because the suit of the suit of

Sorry Joseph, I was just planning for vacation when your last email arrived. We can do what you ask on the fee agreement. We are ready to get rolling. I will get changes made and send to you by the end of the week.

On Tuesday, July 14, 2015, ⊲

> wrote

----Original Message-----

From: jania 1 jania 1

Sent: Tue, Jul 14, 2015 12:37 pm Subject: Re: Letter from DEA?



If you could please get back to me in regards to this matter it would be greatly appreciated. I am pretty adament about getting this process started. What they have done to my family and I makes no sense and for us to have to stuffer any longer than we should, doesn't sit well with me. Please get back to me at your earliest convince, even if you are no longer interested in pursuing this matter. Thanks

Joseph

-----Original Message-----

From: jee

Sent: Tue, Jul 7, 2015 11:10 am Subject: Re: Letter from DEA?



I received the agreement you sent over for me to sign. The agreement looks fine, there's just a couple thing: I wanted to discuss. Once the case is settled I will have to reimburse your law firm for all legal expenses necessary to obtain the outcome. So that will be an automatic deduction from whatever it is we receive as well as a payment of 33% - 40% of the gross, which will be before all the legal expenses and court costs. And then 7% goes to the state of New Mexico and whatever else court costs and fines they will have in place.

I would like to discuss a lower percentage rate being that at that rate I am guaranteed no more than half of the money received for retribution. And the contract also states that I will be held accountable for any legal feeth and expenses no matter if we win or lose. I would like to discuss a revision of this contract to best satisfy us both. Being that I am not in the position to incur more potential debt. I would like to discuss this plan of action at your earliest convenience. In all actuality we should be able to come up with a plan that will put our chances at sI m to none, in reference to losing the case. Thanks A lot though, look forward to hearing back from you

Joseph

Joseph,

Is this the story?

http://www.koat.com/news/man-raises-7k-on-gofundme-after-feds-seize-cash-on-train/34431262

that station is outrageous.

I'm thinking we should get you out here, meet each other, firm up our agreement, get you in front of a real ne vs crew and get the lawsuit rolling. What do you think?

On Wed, Jul 29, 2015 at 7:16 PM,

wrote:

I have been informed today that there has been a broadcast in Alburqurque that states a number of lies about me and I would like to take action in this matter as soon as possible. It makes no sense to have to go through this and I've done nothing wrong. Please get back to me as soon as possible

Joseph

